UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,640	03/15/2002	Hamid Najafi	38988.00015	2203

30256 7590 05/23/2005

SQUIRE, SANDERS & DEMPSEY L.L.P
600 HANSEN WAY
PALO ALTO, CA 94304-1043

EXAMINER	
MARSH, OLIVIA MARIE	

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/099,640	NAJAFI, HAMID	
	Examiner	Art Unit	
	Olivia Marsh	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/20/2005 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3, 10, 11, 12, 14, 21, 22, 24, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beeson *et al* (U.S. 6,038,438) in view of Hollon *et al* (U.S. 5,367,306).

As to **claim 1**, Beeson teaches a mobile telephone system (10) comprising an emergency beacon capable mobile phone (24) (column 3, liens 41-44) and a base radio transceiver (30) that receives emergency calls on radio wave (28) from mobile phone (24) (column 3, lines 49-50). Beeson also teaches mobile phone (24) receiving an emergency beacon activation signal (column 7, lines 26-27), reading on claimed "receiving, from a source, a first message having a first beacon activation command," and activating a beacon in response to the activation signal (column7, lines 28-29), reading on claimed, "activating a beacon per the command."

However, Beeson fails to teach embedding location information of a wireless phone into a beacon wherein the location information is determined by using a satellite positioning system. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hollon.

In an analogous art, Hollon teaches a means for obtaining GPS position information and broadcasting this information over the emergency locator transmitter (ELT) system (column 1, lines 8-10). Hollon further teaches upon activation of the ELT transmitter 7, the CPU 3 is notified

via path 12 (column 4, lines 10-12) and processes the incoming position information from GPS receiver 2 (column 4, lines 14-16) and sends this information to the voice synthesizer module 6 (column 4, lines 17-18) and voice synthesizer module 6 is able to synthesize the information from a digital to speech signal to be broadcast in conjunction with the beacon signal from ELT transmitter 7 over transmission signal R5, via antenna 8 (column 4, lines 20-24), reading on claimed "embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system."

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention to develop a method to be performed in a wireless phone wireless phone comprising receiving a beacon activation command and activating a beacon per the command, as taught by Beeson, and further requiring the method to comprise the step of embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system, as taught by Hollon, to remotely obtain the position of a wireless user who is incapable of initiating the transmission of the beacon.

As to **claim 3**, Beeson and Hollon teach everything as applied in claim 1; however, Beeson fails to teach sending a message having location information to the source. The Examiner maintains this feature was old and well known in the art as taught by Hollon.

Hollon also teaches aircraft information, position information, and beacon signal are all sent by ELT transmitter 7, over transmission signal R5, in a repeating format (column 4, lines 29-30), reading on claimed "sending a message having location information to the source."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to further require the method, taught by Beeson and Hollon, to send a message having location information to the sources, also taught by Hollon, to ensure the position information of the wireless user is obtained by the requesting party.

As to **claim 10**, Beeson and Hollon teach everything as applied in claim 1 and Beeson further teaches the first message received includes a SMS text message (see column 6, lines 1-3 and column 5 lines 30-33), reading on claimed "first message includes a SMS text message."

As to **claim 11**, Beeson teaches a mobile telephone system (10) comprising an emergency beacon capable mobile phone (24) (column 3, liens 41-44), reading on claimed "wireless phone," and a base radio transceiver (30) that receives emergency calls on radio wave (28) from mobile phone (24) (column 3, lines 49-50). Beeson also teaches mobile phone (24) comprises a transceiver (54) for receiving an activation signal (column 4, lines 56-57), reading on claimed "means for receiving, from a source, a first message having a first beacon activation command," and a microprocessor (50) that enables generation and transmission of the emergency radio beacon by transceiver (54), reading on claimed "means for activating a beacon per the command," in response to receipt of emergency beacon activation signal (column 4, lines 49-52).

However, Beeson fails to teach a means for embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hollon.

Hollon teaches a means for obtaining GPS position information and broadcasting this information over the emergency locator transmitter (ELT) system (column 1, lines 8-10). Hollon further teaches upon activation of the ELT transmitter 7, the CPU 3, reading on claimed "means for embedding location information," is notified via path 12 (column 4, lines 10-12) and processes the incoming position information from GPS receiver 2 (column 4, lines 14-16) and sends this information to the voice synthesizer module 6 (column 4, lines 17-18) and voice synthesizer module 6, also reading on claimed "means for embedding location information," is

able to synthesize the information from a digital to speech signal to be broadcast in conjunction with the beacon signal from ELT transmitter 7 over transmission signal R5, via antenna 8 (column 4, lines 20-24), reading on claimed "means for embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system."

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention develop a wireless phone comprising means for receiving a message having a beacon activation command and means for activating a beacon per the command, as taught by Beeson, and further requiring the wireless phone possess means for embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system, as taught by Hollon, to remotely obtain the position of a wireless user who is incapable of initiating the transmission of the beacon.

As to **claim 12**, Beeson teaches a mobile telephone system (10) comprising an emergency beacon capable mobile phone (24) (column 3, liens 41-44), reading on claimed "wireless phone," and a base radio transceiver (30) that receives emergency calls on radio wave (28) from mobile phone (24) (column 3, lines 49-50). The emergency beacon capable mobile phone (24) is controlled by microprocessor (50) (column 4, lines 38-39; Figure 2), reading on claimed "computer readable medium." It is inherent that a microprocessor would possess instructions to control all functions of the mobile phone (24). Beeson also teaches mobile phone (24) comprises a transceiver (54) for receiving an activation signal (column 4, lines 56-57), reading on claimed "receiving, from a source, a first message having a first beacon activation command," and the microprocessor (50) that enables generation and transmission of the emergency radio beacon by transceiver (54), reading on claimed "activating a beacon per the

command," in response to receipt of emergency beacon activation signal (column 4, lines 49-52).

However, Beeson fails to teach embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hollon.

Hollon teaches a means for obtaining GPS position information and broadcasting this information over the emergency locator transmitter (ELT) system (column 1, lines 8-10). Hollon further teaches upon activation of the ELT transmitter 7, the CPU 3 is notified via path 12 (column 4, lines 10-12) and processes the incoming position information from GPS receiver 2 (column 4, lines 14-16) and sends this information to the voice synthesizer module 6 (column 4, lines 17-18) and voice synthesizer module 6 is able to synthesize the information from a digital to speech signal to be broadcast in conjunction with the beacon signal from ELT transmitter 7 over transmission signal R5, via antenna 8 (column 4, lines 20-24), reading on claimed "r embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system."

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention develop a computer readable medium for storing instructions to cause a wireless phone to perform a method comprising receiving, from a source, a first message having a beacon activation command and activating a beacon per the command, as taught by Beeson, and further requiring embedding location information of the wireless phone into the beacon; wherein the location information is determined by using a satellite positioning system, as taught by Hollon, to remotely obtain the position of a wireless user who is incapable of initiating the transmission of the beacon.

As to **claim 14**, Beeson and Hollon teach everything as applied in claim 12; however, Beeson fails to teach sending a message having location information to the source. The Examiner maintains this feature was old and well known in the art as taught by Hollon.

Hollon also teaches aircraft information, position information, and beacon signal are all sent by ELT transmitter 7, over transmission signal R5, in a repeating format (column 4, lines 29-30), reading on claimed "sending a message having location information to the source."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to further require the computer readable medium, taught by Beeson and Hollon, to send a message having location information to the sources, also taught by Hollon, to ensure the position information of the wireless user is obtained by the requesting party.

As to **claim 21**, Beeson and Hollon teach everything as applied in claim 12 and Beeson further teaches the first message received includes a SMS text message (see column 6, lines 1-3 and column 5 lines 30-33), reading on claimed "first message includes a SMS text message."

As to **claim 22**, Beeson teaches a mobile telephone system (10) comprising an emergency beacon capable mobile phone (24) (column 3, liens 41-44), reading on claimed "wireless phone," and a base radio transceiver (30) that receives emergency calls on radio wave (28) from mobile phone (24) (column 3, lines 49-50). Beeson also teaches mobile phone (24) comprises a transceiver (54), reading on claimed "wireless transceiver," for receiving an activation signal (column 4, lines 56-57) coupled to a microprocessor (50) (Figure 2), reading on claimed "a communication engine, communicatively coupled to a wireless transceiver, capable to receive, from a source, a first message having a first beacon activation command" that enables generation and transmission of the emergency radio beacon by an emergency radio beacon signal generator (60), reading on claimed "beacon engine," and transceiver (54) in response to receipt of emergency beacon activation signal (column 4, lines 49-52) , reading on

claimed "a beacon engine, communicatively coupled to the communications engine and to the transceiver, capable to transmit a beacon via the transceiver upon receipt of the first message having a beacon activation command."

However, Beeson fails to teach a location determining device capable of using a satellite positioning system and a beacon engine capable to embed location information of the wireless phone into the beacon. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hollon.

Hollon teaches a means for obtaining GPS position information and broadcasting this information over the emergency locator transmitter (ELT) system (column 1, lines 8-10). Hollon also teaches a GPS receiver 2 receives signals R1, R2, R3, and R4 from four GPS satellites S1, S2, S3, and S4, in the constellation of satellites for the GPS system via antenna 1 (column 3, lines 20-24), reading on claimed "a location determining device capable of using a satellite positioning system." Hollon further teaches upon activation of the ELT transmitter 7, also reading on claimed "beacon engine," the CPU 3 is notified via path 12 (column 4, lines 10-12) and processes the incoming position information from GPS receiver 2 (column 4, lines 14-16) and sends this information to the voice synthesizer module 6 (column 4, lines 17-18) and voice synthesizer module 6 is able to synthesize the information from a digital to speech signal to be broadcast in conjunction with the beacon signal from ELT transmitter 7 over transmission signal R5, via antenna 8 (column 4, lines 20-24), reading on claimed "beacon engine further capable to embed location information of the wireless phone into the beacon."

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention to develop a wireless phone comprising a communication engine, communicatively coupled to a wireless transceiver, capable to receive, from a source, a first message having a first beacon activation command and a beacon engine, communicatively coupled to the

communications engine and to the transceiver, capable to transmit a beacon via the transceiver upon receipt of the first message having a beacon activation command, as taught by Beeson, a location determining device capable of using a satellite positioning system, and further require the beacon engine to be capable of embedding location information of the wireless phone into the beacon, as taught by Hollon, to remotely obtain the position of a wireless user who is incapable of initiating the transmission of the beacon.

As to **claim 24**, Beeson and Hollon teach everything as applied in claim 22; however, Beeson fails to teach the beacon engine is further capable to send a message having location information to the source. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Hollon.

Hollon also teaches aircraft information, position information, and beacon signal are all sent by ELT transmitter 7, over transmission signal R5, in a repeating format (column 4, lines 29-30), reading on claimed "beacon engine is further capable to send a message having location information to the source."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to further require the phone and beacon engine, taught by Beeson and Hollon, the beacon engine is further capable to send a message having location information to the source, also taught by Hollon, to ensure the position information of the wireless user is obtained by the requesting party.

As to **claim 31**, Beeson and Hollon teach everything as applied in claim 22 and Beeson additionally teaches the wireless phone capable of receiving an emergency beacon activation command which includes a SMS text message (see column 6, lines 1-3 and column 9, lines 1-3), reading on claimed "first message includes a SMS text message.

4. Claims 4, 15, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beeson and Hollon as applied to claims 1, 12, and 22 above, and further in view of Siddiqui *et al* (U.S. 6,292,666).

As to **claim 4**, Beeson and Hollon teach everything as applied to claim 1; however, neither teaches displaying a warning of pending beacon activation. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Siddiqui.

In an analogous art, Siddiqui discloses a method for displaying a warning indicator along with transmitting distance and country identity, prior to entering neighboring country, when the source indicates to do so via a location update acknowledgement message (column 6, lines 19-23). The location update acknowledgement message is a command sent to a mobile unit (MS 20) including the ability to warn the user of new location and notify the user that a system is communication with the mobile unit.

Therefore, it would have been obvious to one skilled in the art at the time of invention was made to further require the method, taught by Beeson and Hollon, to display a warning of pending beacon activation, as taught by Siddiqui, to notify the wireless user that a beacon signal is will be sent to notify emergency authorities of the user's location.

As to **claim 15**, Beeson and Hollon teach everything as applied to claim 12; however, neither teaches displaying a warning of pending beacon activation. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Siddiqui.

In an analogous art, Siddiqui discloses a method for displaying a warning indicator along with transmitting distance and country identity, prior to entering neighboring country, when the source indicates to do so via a location update acknowledgement message (column 6, lines 19-23). The location update acknowledgement message is a command sent to a mobile unit (MS

20) including the ability to warn the user of new location and notify the user that a system is communication with the mobile unit.

Therefore, it would have been obvious to one skilled in the art at the time of invention was made to further require the computer readable medium, taught by Beeson and Hollon, to display a warning of pending beacon activation, as taught by Siddiqui, to notify the wireless user that a beacon signal is will be sent to notify emergency authorities of the user's location.

As to **claim 25**, Beeson and Hollon teach everything as applied to claim 22; and Beeson teaches a display (48), reading on claimed "interface engine," coupled to the microprocessor (50) (Figure 2); however, neither teach the display further capable to display a warning message of pending beacon activation. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Siddiqui.

In an analogous art, Siddiqui discloses a method for displaying a warning indicator along with transmitting distance and country identity, prior to entering neighboring country, when the source indicates to do so via a location update acknowledgement message (column 6, lines 19-23). The location update acknowledgement message is a command sent to a mobile unit (MS 20) including the ability to warn the user of new location and notify the user that a system is communication with the mobile unit. Siddiqui's wireless phone (MS 20) also comprises a display interface (202) providing the capability of displaying warning messages to the user.

Therefore, it would have been obvious to one skilled in the art at the time of invention was made to develop a wireless phone, as taught by Beeson and Hollon, and further requiring it to display a warning of pending beacon activation, as taught by Siddiqui, to notify the wireless user that a beacon signal is will be sent to notify emergency authorities of the user's location.

5. Claims 5-8, 16-19, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beeson and Hollon as applied to claims 1, 12, and 22 above, and further in view of Eagleson *et al* (U.S. 6,765,484).

As to **claim 5**, Beeson and Hollon teach everything as applied to claim 1; however, neither teach the first beacon activation command includes beacon parameters. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

In an analogous art, Eagleson teaches a beacon tag (12) embedding a signpost code (93), reading on claimed "location information," within word (81) (column 7, lines 15-19). The signpost code (93) is identical to the signpost code (42) last received from a signpost (11) (column 7, lines 15-19; column 4, lines 21-24). Eagleson also teaches, in Figure 7, a reader (261) receives a beacon signal (282) from a beacon tag (271) that receives signpost signals (281) from signpost (241) (column 13, lines 41-43). The beacon signal (282) contains the signpost code of the signpost (241) (column 12, line 46-48) and the reader (261) can determine the current location of the beacon tag (271) since the reader (261) knows the physical location of the signpost (241) and the beacon tag (271) is in the transmission range of signpost (241) (column 13, lines 53-57). Eagleson also teaches a tag command field (43), reading on claimed "beacon activation command," in word (36) of signpost signal (24), is a 2-bit field which is used to instruct a beacon tag (12) to either turn itself off, on, operate at a fast beacon rate, or operate at a slow beacon rate (see column 11, lines 58-67), reading on claimed "first beacon activation command includes beacon parameters."

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the method and first beacon activation command, taught by Beeson and Hollon, to contain beacon parameters, also taught by Eagleson, to ensure a

beacon signal from wireless user requesting emergency assistance can be aided in any various situation and environment.

As to **claim 6**, Beeson and Hollon teach everything as applied to claim 1 and Eagleson teaches everything as applied claim 5; however, Beeson and Hollon fail to teach receiving a second message having a second beacon activation command, the second beacon activation command having different parameters than the first beacon activation command.

Eagleson further teaches the beacon tag can receive multiple beacon activation commands in succession and each command can possess different parameters (Figures 4 & 5). Eagleson also reveals that the beacon tag can change the parameters of the beacon signal based on the parameters received by the activation command (see column 12, lines 19-22), reading on claimed "receiving a second message having a second beacon activation command, the second beacon activation command having different parameters than the first beacon activation command."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to further require the method and first beacon activation command, taught by Beeson and Hollon, a first beacon activation command with beacon parameters, as taught by Eagleson, to have a second beacon activation command with differing parameters from the first beacon activation command, also taught by Eagleson, to provide the capability of remotely changing the characteristics of a wireless phone's beacon in the instance the wireless user is unable to alter these characteristics.

As to **claim 7**, Beeson and Hollon teach everything as applied to claim 1 and Eagleson teaches everything as applied to claims 5-6; however, Beeson and Hollon fail to teach the beacon parameters include beacon power, beacon cadence, and beacon duration. The

Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

Eagleson further teaches a beacon activation command from within a signpost command that may instruct the beacon tag to adjust the tag's beacon transmit power, frequency, and period (see column 12, lines 19-22), reading on claimed "beacon parameters include beacon power, beacon cadence, and beacon duration." Eagleson provides an example of the varying levels in Figure 4. Examiner has interpreted cadence as frequency and duration as period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the method and first beacon activation command, taught by Beeson and Hollon, to accept a second beacon command with different parameters, as taught by Eagleson, and further requiring the beacon parameters include beacon power, beacon cadence, and beacon duration, also taught by Eagleson, to provide the capability of remotely ensuring that the wireless phone's beacon can be optimally received by a requesting user.

As to **claim 8**, Beeson and Hollon teach everything as applied to claim 1; however, Beeson and Hollon fail to teach using default beacon parameters if the beacon activation command does not include parameters. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

Eagleson also teaches if a beacon tag does not receive a signpost signal or the signal does not contain a command, then the tag by default sends a beacon signal based on default parameters that consist of omitting information normally obtained from a signpost command (column 7; lines 54-60), reading on claimed "activating uses default beacon parameters if the beacon activation command does not include parameters.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the method, taught by Beeson and Hollon, to use default beacon parameters if the beacon activation command does not include parameters, taught by Eagleson, to provide a wireless phone to send a beacon signal despite not receiving commands from an beacon activation source.

As to **claim 16**, Beeson and Hollon teach everything as applied to claim 12; however, neither teaches the first beacon activation command includes beacon parameters. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

Eagleson also teaches a beacon tag (12) embedding a signpost code (93), reading on claimed "location information," within word (81) (column 7, lines 15-19). The signpost code (93) is identical to the signpost code (42) last received from a signpost (11) (column 7, lines 15-19; column 4, lines 21-24). Eagleson also teaches, in Figure 7, a reader (261) receives a beacon signal (282) from a beacon tag (271) that receives signpost signals (281) from signpost (241) (column 13, lines 41-43). The beacon signal (282) contains the signpost code of the signpost (241) (column 12, line 46-48) and the reader (261) can determine the current location of the beacon tag (271) since the reader (261) knows the physical location of the signpost (241) and the beacon tag (271) is in the transmission range of signpost (241) (column 13, lines 53-57). Eagleson also teaches a tag command field (43), reading on claimed "beacon activation command," in word (36) of signpost signal (24), is a 2-bit field which is used to instruct a beacon tag (12) to either turn itself off, on, operate at a fast beacon rate, or operate at a slow beacon rate (see column 11, lines 58-67), reading on claimed "first beacon activation command includes beacon parameters."

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the computer readable medium, and first beacon activation command, taught by Beeson and Hollon, to contain beacon parameters, also taught by Eagleson, to ensure a beacon signal from wireless user requesting emergency assistance can be aided in any various situation and environment.

As to **claim 17**, Beeson and Hollon teach everything as applied to claim 12 and Eagleson teaches everything as applied claim 16; however, Beeson and Hollon fail to teach receiving a second message having a second beacon activation command, the second beacon activation command having different parameters than the first beacon activation command.

Eagleson further teaches the beacon tag can receive multiple beacon activation commands in succession and each command can possess different parameters (Figures 4 & 5). Eagleson also reveals that the beacon tag can change the parameters of the beacon signal based on the parameters received by the activation command (see column 12, lines 19-22), reading on claimed "receiving a second message having a second beacon activation command, the second beacon activation command having different parameters than the first beacon activation command."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to further require the computer readable medium and first beacon activation command, taught by Beeson and Hollon, a first beacon activation command with beacon parameters, as taught by Eagleson, to have a second beacon activation command with differing parameters from the first beacon activation command, also taught by Eagleson, to provide the capability of remotely changing the characteristics of a wireless phone's beacon in the instance the wireless user is unable to alter these characteristics.

As to **claim 18**, Beeson and Hollon teach everything as applied to claim 12 and Eagleson teaches everything as applied to claims 16-17; however, Beeson and Hollon fail to teach the beacon parameters include beacon power, beacon cadence, and beacon duration. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

Eagleson further teaches a beacon activation command from within a signpost command that may instruct the beacon tag to adjust the tag's beacon transmit power, frequency, and period (see column 12, lines 19-22), reading on claimed "beacon parameters include beacon power, beacon cadence, and beacon duration." Eagleson provides an example of the varying levels in Figure 4. Examiner has interpreted cadence as frequency and duration as period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the computer readable medium and first beacon activation command, taught by Beeson and Hollon, to accept a second beacon command with different parameters, as taught by Eagleson, and further requiring the beacon parameters include beacon power, beacon cadence, and beacon duration, also taught by Eagleson, to provide the capability of remotely ensuring that the wireless phone's beacon can be optimally received by a requesting user.

As to **claim 19**, Beeson and Hollon teach everything as applied to claim 12; however, Beeson and Hollon fail to teach using default beacon parameters if the beacon activation command does not include parameters. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

Eagleson also teaches if a beacon tag does not receive a signpost signal or the signal does not contain a command, then the tag by default sends a beacon signal based on default

parameters that consist of omitting information normally obtained from a signpost command (column 7, lines 54-60), reading on claimed "activating uses default beacon parameters if the beacon activation command does not include parameters.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the computer readable medium, taught by Beeson and Hollon, to use default beacon parameters if the beacon activation command does not include parameters, taught by Eagleson, to provide a wireless phone to send a beacon signal despite not receiving commands from an beacon activation source.

As to **claim 26**, Beeson and Hollon teach everything as applied to claim 22; however, Beeson and Hollon fail to teach the first beacon activation command includes beacon parameters and wherein the beacon engine transmits the beacon according to the beacon parameters. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

Eagleson also teaches a beacon tag (12) embedding a signpost code (93), reading on claimed "location information," within word (81) (column 7, lines 15-19). The signpost code (93) is identical to the signpost code (42) last received from a signpost (11) (column 7, lines 15-19; column 4, lines 21-24). Eagleson also teaches, in Figure 7, a reader (261) receives a beacon signal (282) from a beacon tag (271) that receives signpost signals (281) from signpost (241) (column 13, lines 41-43). The beacon signal (282) contains the signpost code of the signpost (241) (column 12, line 46-48) and the reader (261) can determine the current location of the beacon tag (271) since the reader (261) knows the physical location of the signpost (241) and the beacon tag (271) is in the transmission range of signpost (241) (column 13, lines 53-57). Eagleson also teaches a tag command field (43), reading on claimed "beacon activation command," in word (36) of signpost signal (24), is a 2-bit field which is used to instruct a beacon

tag (12) to either turn itself off, on, operate at a fast beacon rate, or operate at a slow beacon rate (see column 11, lines 58-67), reading on claimed "first beacon activation command includes beacon parameters and wherein the beacon engine transmits the beacon according to the beacon parameters."

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the wireless phone and first beacon activation command, taught by Beeson and Hollon, to provide the beacon activation command to contain beacon parameters and wherein the beacon engine transmits the beacon according to the beacon parameters, also taught by Eagleson, to ensure a beacon signal from wireless user requesting emergency assistance can be aided in any various situation and environment.

As to **claim 27**, Beeson and Hollon teach everything as applied to claim 22 and Eagleson teaches everything as applied claim 26; however, Beeson and Hollon fail to teach the communications engine is further capable to receive a second message having a second beacon activation command, the second beacon activation command having different parameters than the first beacon activation command, and wherein the beacon engine is further capable to transmit the beacon according to the beacon parameters of the second beacon activation command. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Eagleson.

Eagleson further teaches the beacon tag can receive multiple beacon activation commands in succession and each command can possess different parameters (Figures 4 & 5). Eagleson also reveals that the beacon tag can change the parameters of the beacon signal based on the parameters received by the activation command (see column 12, lines 19-22), reading on claimed "the communications engine is further capable to receive a second message having a second beacon activation command, the second beacon activation command having

different parameters than the first beacon activation command, and wherein the beacon engine is further capable to transmit the beacon according to the beacon parameters of the second beacon activation command."

It would have been obvious to one of ordinary skill in the art at the time of invention was made to further require the wireless phone, communications engine, and beacon engine, and first beacon activation command, taught by Beeson and Hollon, the first beacon activation command includes beacon parameters and wherein the beacon engine transmits the beacon according to the beacon parameters, as taught by Eagleson, the communications engine is further capable to receive a second message having a second beacon activation command, the second beacon activation command having different parameters than the first beacon activation command, and wherein the beacon engine is further capable to transmit the beacon according to the beacon parameters of the second beacon activation command, also taught by Eagleson, to provide the capability of remotely changing the characteristics of a wireless phone's beacon in the instance the wireless user is unable to alter these characteristics.

As to **claim 28**, Beeson and Hollon teach everything as applied to claim 22 and Eagleson teaches everything as applied to claims 26-27; however, Beeson and Hollon fail to teach the beacon parameters include beacon power, beacon cadence, and beacon duration.

Eagleson further teaches a beacon activation command from within a signpost command that may instruct the beacon tag to adjust the tag's beacon transmit power, frequency, and period (see column 12, lines 19-22), reading on claimed "the beacon parameters include beacon power, beacon cadence, and beacon duration." Eagleson provides an example of the varying levels in Figure 4. Examiner has interpreted cadence as frequency and duration as period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the wireless phone and first beacon activation command, taught by Beeson and Hollon, that accepts a second beacon command with different parameters, as taught by Eagleson, that the beacon parameters include beacon power, beacon cadence, and beacon duration, also taught by Eagleson, to provide the capability of remotely ensuring that the wireless phone's beacon can be optimally received by a requesting user.

As to **claim 29**, Beeson and Hollon teach everything as applied to claim 22; however, Beeson and Hollon fail to teach the beacon engine using default beacon parameters if the beacon activation command does not include parameters.

Eagleson also teaches if a beacon tag does not receive a signpost signal or the signal does not contain a command, then the tag by default sends a beacon signal based on default parameters that consist of omitting information normally obtained from a signpost command (column 7, lines 54-60), reading on claimed "the beacon engine uses default beacon parameters if the beacon activation command does not include parameters.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the wireless phone and beacon engine, taught by Beeson and Hollon, to use default beacon parameters if the beacon activation command does not include parameters, also taught by Eagleson, to provide a wireless phone to send a beacon signal despite not receiving commands from an beacon activation source.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beeson and Hollon as applied to claim 1 above, and further in view of Brickell (U.S. 5,554,993).

As to **claim 9**, Beeson and Hollon teach everything as applied to claim 1; however, neither teach a method of, determining whether or not to enter a power save mode; if it is determined to enter the power save mode then turning off a receiver in the wireless phone and activating the beacon per power save beacon parameters. The Examiner maintains this feature was old and well known in the art as taught by Brickell.

In an analogous art, Brickell discloses a method of inhibiting the transmission of a homing beacon until the receipt of a activate beacon command (see column 3, lines 37-40), and a step of activating a low power continuous wave beacon (see column 6, lines 15-16 and column 9, lines 51-56).

It would have been obvious to one of ordinary skill in the art at the time invention was made to further require the method, taught by Beeson and Hollon, to determine whether or not to enter a power save mode; if it is determined to enter the power save mode then turning off a receiver in the wireless phone and activating the beacon per power save beacon parameters, as taught by Brickell, to conserve the wireless phone's power.

7. Claims 20 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beeson and Hollon as applied to claims 12 and 22 above, and further in view of Haartsen (U.S. 5,870,673).

As to **claim 20**, Beeson and Hollon teach everything as applied to claim 12 above; however, neither teach a computer-readable medium determining whether or not to enter a power save mode; if it is determined to enter the power save mode then turning off a receiver in the wireless phone and activating the beacon per power save beacon parameters. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Haartsen.

In an analogous art, Haartsen discloses a power mode control circuit (58) within a mobile terminal (30) that places the mobile terminal in sleep mode to prohibit communication with a wireless network (see column 11, lines 62-66). Haartsen further teaches placing the power mode control circuit (30) in active mode in response to command from a beacon monitor circuit (56) (see column 12, lines 5-9). Haartsen also teaches that a power mode control circuit could be controlled by a microcontroller (see column 13, lines 31-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further require the computer-readable medium, taught by Beeson and Hollon, to determine whether or not to enter a power save mode; if it is determined to enter the power save mode then turning off a receiver in the wireless phone and activating the beacon per power save beacon parameters, as taught by Haartsen, to conserve the wireless phone's power.

As to **claim 30**, Beeson and Hollon teach everything as applied to claim 22 above; however, neither teaches the beacon engine is further capable of determining whether or not to enter a power save mode; if it is determined to enter the power save mode then turning off a

receiver in the wireless phone and activating the beacon per power save beacon parameters. The Examiner maintains this feature was old and well known in the art at the time of invention as taught by Haartsen.

Haartsen also teaches a mobile terminal that posses a power control circuit with the means responsive to a beacon monitoring means, where the power control circuit has the ability to place the mobile terminal in a lower power sleep mode in which the mobile terminal does not communicate with a communications network; thereby conserving power of the mobile unit (see column 11, lines 62-66).

It would have been obvious to one of ordinary skill in the art at the time invention was made to further require the wireless phone with a beacon engine, taught by Beeson and Hollon, to determine whether or not to enter a power save mode; if it is determined to enter the power save mode then turning off a receiver in the wireless phone and activating the beacon per power save beacon parameters, as taught by Haartsen, to conserve the wireless phone's power.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 12, and 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olivia Marsh whose telephone number is 571-272-7912. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marsha D Banks-Harold

MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600